REMARKS

This Application has been carefully reviewed in light of the Office Action mailed September 8, 2004. Claims 1-39 were pending in the application. Claims 1-36 stand rejected, and Claims 37-39 were allowed. Applicant amends Claims 1, 4, 13, 16, 25, and 28. Applicant cancels Claims 6, 18, and 30. For at least the reasons discussed below, Applicant respectfully requests reconsideration and favorable action in this case.

Section 103 Rejections

Claims 1-3, 7, 9, 13-16, 19, 21, 25-28, 31, and 33 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,216,006 to Scholefield, et al. ("*Scholefield*") in view of U.S. Patent Application No. 6,097,733 to Basu et al. ("*Basu*"). Claims 4-6, 17-18, and 29-30 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Scholefield* and *Basu*, and in further in view of U.S. Patent No. 6,407,999 to Olkkonen, et al. ("*Olkkonen*"). In addition, Claims 8, 10-12, 20, 22-24, 32, and 34-36 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Scholefield* and *Basu*, and further in view of U.S. Patent No. 5,884,174 to Nagarajan, et al. ("*Nagarajan*"). Applicant respectfully traverses these rejections.

Applicant has amended independent Claim 1 to incorporate features and operations previously recited in dependent Claim 6, which has been canceled. Independent Claim 1, as amended, recites as follows:

> A method for managing real-time bandwidth requests in a wireless network, comprising:
> receiving a plurality of bandwidth requests each for a connection to a cell of a wireless network, each request selected from the group consisting of a call admission request, an additional bandwidth request, and a handoff request, each received request including subscription level information comprising a class of service (CoS);
> determining a priority associated with the connection based on the subscription level information;

queuing each of the requests in one of a plurality of queues corresponding to the CoS for the connection based on the subscription level information;

clearing from the queues any request reaching a delay threshold; and

processing the received requests in the queues by queue beginning with a queue corresponding to a highest priority CoS and in a descending order of CoS priority to provide bandwidth to corresponding connections until available bandwidth is exhausted.

With regard to now canceled Claim 6, the Examiner relied upon the *Scholefield-Basu-Olkkonen* combination to reject the above recited combination of features and operations. Applicant respectfully submits, however, that the *Scholefield-Basu-Olkkonen* combination does not does not disclose, teach, or suggest each and every element of Applicant's amended Claim 1.

For example, Applicant submits that the *Scholefield-Basu-Olkkonen* combination does not disclose, teach, or suggest "queuing each of the requests in one of a plurality of queues corresponding to the CoS for the connection based on the subscription level information . . . and processing the received requests in the queues by queue beginning with a queue corresponding to a highest priority CoS and in a descending order of CoS priority to provide bandwidth to corresponding connections until available bandwidth is exhausted," as recited in Applicant's Claim 1. With respect to now canceled Claim 6, the Examiner specifically relied upon *Basu* for disclosure of these elements. *Basu* merely discloses, however, a system and method for "selectively allocat[ing] the bandwidth in response to wireless multimedia communication requirements to achieve a minimum transmission rate for multimedia communications." (Column 2, lines 27-31). The portion of *Basu* relied upon by the Examiner further provides that "[b]y using available bandwidth, the number of users who may access the base station 102 within the service area is maximized, the relative performance achieved by each mobile unit is maximized and the overall system usage is maximized as well." (Column 6, lines 37-35). The relied upon portion of *Basu* does not discuss, however, "queuing each of the requests in one of a plurality of queues corresponding to the CoS" or "processing the received requests in the queues by queue beginning with a queue corresponding to a highest priority CoS and in a descending order of CoS priority to

provide bandwidth to corresponding connections until available bandwidth is exhausted," as recited in amended Claim 1. In fact, there is no disclosure at all in *Basu* of "a plurality of queues." Thus, *Basu* also cannot be said to disclose, teach, or suggest "processing the received requests in the queues by queue beginning with a queue corresponding to a highest priority CoS and in a descending order of CoS priority," as also recited in Applicant's Claim 1.

For at least these reasons, Applicant respectfully requests reconsideration and allowance of Claim 1.

The Examiner also relies on the *Scholefield-Basu-Olkkonen* combination to reject independent Claims 13 and 25. Applicant respectfully submits that the *Scholefield-Basu-Olkkonen* combination does not disclose, teach, or suggest each and every element of Applicant's independent Claims 13 and 25. For example, Claim 13 recites "means for queuing each of the requests in one of a plurality of queues corresponding to the CoS for the connection based on the subscription level information" and "means for processing the requests in the queues by queue beginning with a queue corresponding to a highest priority CoS and in a descending order of CoS priority to provide bandwidth to corresponding connections until available bandwidth is exhausted." As another example, Claim 25 recites logic operable to "queue each of the requests in one of a plurality of queues corresponding to the CoS for the connection based on the subscription level information" and process the received requests in the queues by queue beginning with a queue corresponding to a highest priority CoS and in a descending order of CoS priority to provide bandwidth to corresponding connections until available bandwidth is exhausted." Thus, for reasons similar to those discussed above with regard to Claim 1, Applicant respectfully submits that the *Scholefield-Basu-Olkkonen* combination does not disclose, teach, or suggest each and every element set forth in Applicant's independent Claims 13 and 25.

Dependent Claims 2-5 and 7-12 depend upon independent Claim 1, which Applicant has shown above to be allowable. Dependent Claims 14-17 and 19-24 depend upon independent Claim 13, which Applicant has shown above to be allowable. Dependent Claims

26-29 and 31-36 depend upon independent Claim 25, which Applicant has shown above to be allowable. Accordingly, dependent Claims 2-5, 7-12, 14-17, 19-24, 26-29, and 31-36 are not obvious over the combinations of references relied upon by the Examiner at least because Claims 2-5, 7-12, 14-17, 19-24, 26-29, and 31-36 include the limitations of their respective independent claims. Since Claims 2-5, 7-12, 14-17, 19-24, 26-29, and 31-36 incorporate the limitations of their respective independent claims, Applicant has not provided detailed arguments with respect to Claims 2-5, 7-12, 14-17, 19-24, 26-29, and 31-36. However, Applicant remains ready to do so if it becomes appropriate. Applicant respectfully requests reconsideration and allowance of Claims 2-5, 7-12, 14-17, 19-24, 26-29, and 31-36.

Allowable Subject Matter

Applicant notes with appreciation the Examiner's allowance of Claims 37-39. Claims 37-39 have not been amended and, therefore, remain in condition for allowance.
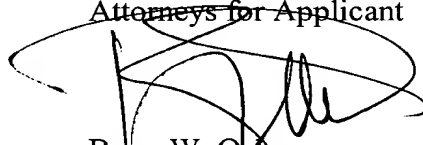
CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicant respectfully requests full allowance of all the pending claims.

If the present application is not allowed and/or if one or more of the rejections is maintained, Applicant hereby requests a telephone conference with the Examiner and further request that the Examiner contact the undersigned attorney to schedule the telephone conference.

Although Applicant believes no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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